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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 THERON KENNETH HOLSTON, No. 2:20-CV-2466-DJC-DMC-P
12 Plaintiff,
13 v. ORDER
14 GARCIA,
15 Defendant.

17 Plaintiff, who is proceeding pro se, brings this civil rights action under 42 U.S.C.
18 § 1983. Pending before the Court is Plaintiff's motion, ECF No. 44, for a second referral of this
19 case to the Court's Alternative Dispute Resolution (ADR) program.

20 A review of the docket reflects that this case was previously referred to the ADR
21 program and Defendants were granted leave to opt-out of the process. Now pending before the
22 Court is Defendants' motion for summary judgment on the merits of Plaintiff's claims. Given the
23 procedural of this case and Defendants' having been previously granted leave to opt out of the

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1 ADR process, Plaintiff's current motion is denied without prejudice to renewal upon joint request
2 of the parties following resolution of Defendants' motion for summary judgment.

3 IT IS SO ORDERED.

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5 Dated: June 5, 2023



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7 DENNIS M. COTA
8 UNITED STATES MAGISTRATE JUDGE
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